

VIRGINIA: IN THE CIRCUIT COURT FOR ALBEMARLE COUNTY

TOMMIE BRANCH,

Plaintiff,

v.

KROGER LIMITED PARTNERSHIP I,

Defendant.

At Law No.: CL22-860

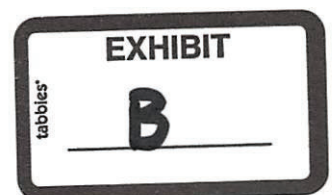
Serve: Corporation Services Company
100 Shockoe Slip, Fl. 2
Richmond, VA 23219

FILED
2022 JUN 27 PM 3:21
CLERK OF COURT
ALBEMARLE COUNTY VA
JOSHUA B. BROWN, CLERK
D.C.

COMPLAINT

COMES NOW the plaintiff, Tommie Branch, by counsel, and moves this Court for judgment against the defendant, Kroger Limited Partnership I, in the amount of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) by reason of the following:

1. The plaintiff, Tommie Branch, is a resident of Harrisonburg, Virginia, with an address of 2532-A Mosby Court, Harrisonburg, Virginia 22801.
2. The defendant, Kroger Limited Partnership I, is a limited partnership whose principle office is located in Cincinnati, Ohio and operates a grocery store located at 1980 Rio Hill Center, Charlottesville, Virginia 22901.
3. On or about December 20, 2020 the plaintiff was shopping at the Kroger store in Charlottesville, Virginia.
4. Plaintiff tripped over a piece of board, which was part of a live Christmas tree display, which was protruding into the walkway and not visible to patrons.



5. A Kroger store manager acknowledged at the scene that the store intended to fix the display to remove the dangerous condition but had not yet done so.

6. The defendant, Kroger Limited Partnership I, was negligent in that defendant:

- a. created a dangerous condition not reasonably visible to the public,
- b. failed to warn plaintiff of danger, and
- c. failed to maintain their property in a reasonably safe manner.

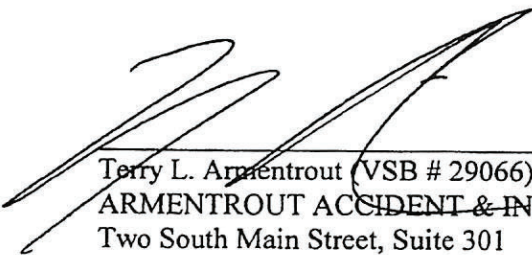
7. As a direct and proximate result of the above described incident, plaintiff was caused to suffer serious and permanent injuries, has suffered and will in the future suffer pain of the body and mind, has incurred and will in the future incur medical and related expenses, and has been deprived of earnings and earning capacity.

WHEREFORE, the plaintiff, Tommie Branch, moves this Court for judgment against the defendant, Kroger Limited Partnership I, in the amount ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), with interest and for his costs herein expended.

TRIAL BY JURY IS DEMANDED.

TOMMIE BRANCH

By Counsel



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